MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/21/0312
Date registered valid:	16 April 2021
Proposal:	Discharge of condition 6 (drainage maintenance), 11 (EV charging) 12a - Travel Plan, 18 (vehicular access), 21b (acoustic insulation), 22 (waste management), 25 (boundary treatment) and 26 (external lighting) attached to planning permission referenced 123900/FO/2019
Address:	929 Ashton Old Road, Manchester, M11 2NH
Ward(s):	Clayton & Openshaw Ward
Applicant:	Jason Coulborn Watson Homes Spark Studio, 208-210 Great Clowes Street, Salford, M7 2ZS
Agent (if any):	
Case officer:	Sue Wills Tel: 0161 234 4524 Email: sue.wills@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**6th July 2021**

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:
Printed: 23 April 2021 Expired: 14 May 2021

Neighbour notifications
No neighbour notifications have been printed and sent.

Site notice
No site notice has been produced

Press advert
No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Flood Risk Management -06.05.2021.The information submitted and uploaded onto the planning portal on 16th April 2021 has been considered.

In order to discharge the drainage planning condition, further information is needed.

The outstanding evidence required is:

· The maintenance plan should also include the maintenance works required for the Aco Drainage channels.

· The maintenance plan should specify who shall be responsible for carrying out the maintenance of the drainage for the lifetime of the development.

Updated comments 20.05.2021 - The information submitted to the LPA on 11th May 2021 has been considered. They have no further comments regarding Condition 6 and recommend it be discharged.

Highways Services
Condition 11. The information provided is insufficient to allow them to recommend the discharge of this condition from a Highways perspective. It is required, in line with MCC Residential Guidelines, that the provision of Electrical Vehicle charging points (minimum 7kW) are made available.
Condition 12a. The submitted Travel Plan is considered sufficient to discharge the associated condition. Targets and travel plan initiatives have also been indicated, with regular monitoring and reviews of travel patterns by a designated Travel Plan Coordinator.
Condition 18. The submitted proposed site plan confirms vehicle access details, this is sufficient to allow them to recommend the discharge of this condition from a Highways perspective. The proposed bin storage within the site is considered appropriate. The arrangement is appropriate and accepted by Highways and will ensure that bins are not left out or stored on the adopted highway.
Condition 22 can be discharged from a Highways perspective.
Condition 25. The submitted information confirms boundary treatments, this is acceptable to Highways and can be discharged.
Condition 26. The submitted external lighting information is considered sufficient to discharge the associated condition.

Updated comments 14.06.2021- Condition 11, The information provided is sufficient to recommend the discharge of this condition from a Highways perspective

Environmental Health – originally had the following comments on the information submitted for the above CDN application:

Condition 11 (EV charging)
The application form states that an 'Electric Car Charging Ducting Plan' has been submitted against this condition, but the only apparently relevant plan available is the 'Electrical Services Site Plan' (Drawing No. 5085-KGA-00-00-DR-E-300, Revision R2), which shows a single 'FUTURE ELECTRIC CAR CHARGING POSITION'. An email from Jeni Regan dated 28 August 2019 to the officer stated that the agent had confirmed that 4 charge points plus wider infrastructure would be installed. They cannot recommend discharge of this condition until this agreed scheme has been confirmed.

Condition 21b (acoustic insulation)
The installed glazing is acceptable however the submitted letter from Watson Construction Ltd dated 07 April 2021 states that a Mechanical Ventilation Heat Recovery (MVHR) system has been installed instead of the proposed passive ventilation. They request the acoustic specifications for the MVHR system, including noise levels for the fan and any noise ingress from intake/extract points.

Condition 22 (waste management)
The submitted waste proforma and email from Sam Davies in MCC's W&R team indicate that an agreement has not yet been reached regarding the responsibility for placing bins at the collection point. We cannot recommend discharge of this condition until this point has been confirmed.

Condition 26 (external lighting)

The submitted details are acceptable and we have no objection to the discharge of this condition.

Updated comments 01.06.2021 -Following further information received condition 21b can be discharged.

Updated comments 14.06.2021 -Note that they're proposing 4 EVC points as agreed, however it also agreed that wider infrastructure would also be installed for the site. The plan does not show the proposed install of wider infrastructure / cable routes for remaining spaces as previously agreed.

Updated comments 18.06.2021 - Following the further information received showing the infrastructure to be incorporated into the parking area to facilitate future EVC's the scheme is satisfactory.

Updated comments 29.06.2021- Following the further information received relating to the refuse collection

GMP – originally advised they would have no objection to the approval of condition 26, but would recommended that the height of the boundary treatment was at least 1.8m in line with the guidance from SBD New Homes 2019 . However, a further email from David Naher from GMP Secure by Design team dated 20th May 2021 confirms the heights of boundary treatment between 1.2m and 1.5m would be accepted at the above site , given the circumstances of the site having a public footpath passing through the site, has been forwarded by the planning agent .

Issues

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation:

Article 35 Declaration

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

Condition no. 6 (drainage maintenance),

The Drainage Maintenance Plan ref: 190151 rev.A received 11th May 2021 is considered to be acceptable , on the basis the measures in Drainage Maintenance Plan ref: 190151 rev.A are fully implemented on an on-going basis in perpetuity condition no.6 is discharged .

Condition no.11 (EV charging),

The provision of 4 charging points in the form of 2 double header EV Charging stations, together with ducts for the proposed and future electric charging points as shown 5085-KGA-00-00-DR-E-300-R6 (Electrical Services Plan) received 18th June 2021 are considered to be satisfactory. On the basis the development is implemented in accordance with the details 5085-KGA-00-00-DR-E-300-R6 (Electrical Services Plan) condition no.11 is discharged.

Condition no.12a (Travel Plan)

The submitted Travel Plan ref: J1282/TP March 2021 rev.A by DTPC, includes targets and travel plan initiatives ,with regular monitoring and reviews of travel patterns by a designated Travel Plan Coordinator, and is considered to be satisfactory. On the basis that the development is implemented in accordance with measures in the travel plan ref: J1282/TP March 2021 rev.A, condition no.12a is discharged.

Condition no. 18 (vehicular access)

The details on plan ref: ELL-19051-B-WH-550 rev.G (section 278 layout) received 16th April 2021are considered to be acceptable. On the basis that the development is implemented in accordance with plan ref: ELL-19051-B-WH-550 rev.G (section 278 layout), condition no.18 is discharged.

Condition 21b (acoustic insulation)

The letter from planning agent dated 7th April 2021 confirming that the glazing used throughout the scheme achieves 39dB reduction, and that no ventilators have been installed due to the scheme using a Mechanical Ventilation Heat Recovery (MVHR) system, thereby negates the need for any passive ventilation has been noted . This has been considered in conjunction with the Guardian Glass Acoustic Performance Glazing Configuration (6.76mm (33.2) LamiGlass Sound Reduction 16mm Cavity 6mm Float Glass)received 16th April 2021, and the email from Envirovent Limited to Planning Agent dated 11th May 2021, and attached acoustic data sheet which details the acoustic properties of the MVHR unit. The submitted information is considered to be satisfactory and condition no.22b is discharged.

Condition no. 22 (waste management),

The content of the Email from Kevin Ma dated 6th August 2020 , confirming the refuse collection details in relation to where the refuse collection vehicles would stop to collect bins

from the two proposed bin store enclosures, and confirmation that bins would be returned to the enclosures by the refuse collection operatives have been noted .

The Waste Management Proforma dated 23.02.2021 , and plan ref: 911286-TADW-XX-00-DR-A-101-P-10(site plan) in regard to the location of bin stores, together with the contents of the email from One Manchester dated 29th June 2021 confirming Biffa will service the two waste and recycling facilities on site as an assisted collection once they have been issued with a FOB for access dated 29th June 2021 have been examined and are considered to be acceptable

On the basis that the development is implemented in accordance with the submitted information and plan detailed above condition no.22 is discharged.

Condition no.25 - Boundary treatment.

Plan ref: 911286-TADW- A- N/W- DR- A- 107- P- 10 (Proposed elevations sheet 1 of 2) has been considered solely in regard to the boundary treatment to the northern elevation and plan ref: 911286-TADW- A- S/E- DR- A- 108- P- 8 (Proposed elevations sheet 2 of 2) has been considered solely in regard to the boundary treatment to the western elevation;
received 16th April 2021 have been considered together with plan ref: 611226 201 Rev.P2 (Boundary treatment details and locations) received on 16th June 2021, and that the railings would be grey in colour and the low wall element of the proposed boundary treatment would comprise black brickwork .

In additional the email provided by the planning agent from GMP dated 20th May 2021, confirming that given the circumstances of the site having a public footpath passing through the site they were satisfied that the railing heights can be installed to the heights being proposed at 1.2m – 1.5m has also been noted .

The submitted information detailed on the plans specified above is acceptable , and condition no.25 is discharged on the basis that the development is implemented in full accordance with the plans specified above.

Condition 26 (external lighting)

Exterior Lighting report ref: DN-MR-0321-001 dated 10.03.2021 including lux level plans
In the location Plan ref: ASD-DN-MR-0321-001 SHEET 1 of 1 R.00 (Car Park lighting plan), together with the lighting designs wall mounted Stealth Elite LED 1500, Wide Beam Angle, Black, Clear Diffuser (ref: SEL/B4LED1500-M1); Mini Highway Diamond™ Elite, Black, 4000K, LED 12, 500mA, S1 Optic (ref: HWD/B4LED1250-S1)
submitted on 2nd July 2021 has been examined and the content of the email form the planning agent dated 6th July 2021confirming the lighting columns within the Dakley Street scheme would be black in colour has been noted . The submitted information and content do the email dated 6th July 2021 are considered to be satisfactory. On the basis that the development is implemented in accordance with the details above condition no.26 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH2